



## Are the Dayton Accords a Model for Reconstructing Iraq?

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**Discussion.** The Dayton Accords significantly aided in stabilizing ethnic tensions in Bosnia since 1996. Large-scale violence has not revisited Bosnia even though the international peacekeeping force has been drastically reduced. Careful analysis of the two situations suggests the Dayton Accords have limited applicability to Iraq, although its emphasis on consociational instead of integrative political structures may offer some insight into how to lay a foundation for Iraq's future governing structures.

Dayton established Bosnia-Herzegovina as a single sovereign federated state with two autonomous Entities—a Bosniak-Croat Federation controlling 51 percent of the land and the Bosnian-Serb Republika Srpska controlling 49 percent. These percentages and the established borders of these two entities roughly matched the military situation on the ground as of October 1995 when a cease-fire was imposed on the parties following NATO Operation Deliberate Force.

The *Accords* assigned NATO responsibility for implementing and enforcing military provisions including force separation, arms control (the parties were not required to disarm), redeployments, and prisoner exchanges. The parties complied with these terms within the deadlines spelled out in the agreement in large part because NATO provided a credible military threat that none of the parties could hope to counter. That violence has not broken out, even though both Entities maintain separate militaries and NATO's presence has dwindled substantially, is the result of a number of factors, most important being that the government structures *Dayton* created served as sufficient forums for resolving conflicts.

These structures are consociational in nature—that is, they take the major ethnic groups as their building blocks. Thus, there is a three-person National Presidency whose chairman alternates every eight months. Only Serbs are allowed to vote for the Serb representative, Croats for the Croat representative, etc. The Presidency nominates a Chairman of Ministers (Prime Minister) for approval by the National House of Representatives, which is evenly divided among Croats, Bosniaks, and Serbs. The House of Peoples is also evenly distributed among the three ethnic groups. In short, the *Dayton Accords* attempted to ensure that all major governing structures guaranteed equal representation to members of the three major ethnic groups and complicated voting rules afford minority protections and veto capabilities for each group. This was seen as the only way to gain acceptance by the warring parties.

It is also important to note that even the implementation of *Dayton*'s civil provisions (constitution, governing structures, elections, human rights issues, refugees and displaced persons, economic restructuring, police forces, etc.) have occurred under international supervision. The *Accords* created the Office of High Representative (OHR) to oversee implementation of its civil aspects and after a couple of years of obstruction by nationalists on all sides, OHR adopted more aggressive tactics, imposing policy decisions, decreeing laws, and removing obstructionists politicians from office. To a great extent, NATO's military presence and OHR's near dictatorial powers have underwritten Bosnia's stability.

Despite the apparent coercive nature of the Bosnian peace, *Dayton* did lay a foundation for some integrative aspects. It ensured that displaced persons have the right to return home and vote in their home municipalities even if they have yet to return permanently. This opens the door for geographic reintegration of ethnic groups, which is necessary if Bosnians are to move beyond ethnicity as a primary basis of identity. Some governing structures also contain integrative characteristics—that is, although representation may be based on ethnic parity, they have no veto provisions and voting is done by simple majorities. These include the Constitutional Court, the Central Bank, and the Commission on Displaced Persons and Refugees—not legislative bodies but important national policymaking institutions nonetheless. Plus, there have been efforts (so far in vain) to alter the electoral system to promote cross-ethnic voting (for example, allowing people to vote for one presidential candidate from each ethnic group or even requiring presidential candidates to demonstrate minimum levels of support outside their ethnic group to be eligible to run). Such reforms may help moderate candidates win office and slowly chip away at ethnic divisions.

## Report Documentation Page

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**Applicability for Iraq?** In Bosnia, NATO was charged with keeping the peace between relatively well-organized and structured warring parties that sought to take and control territory. When it became evident that none of the parties could achieve their goals in the face of NATO's determination to alter the balance of power and force a negotiated settlement, they had no choice but to accept *Dayton*. Once this happened, NATO's military presence ensured at least grudging adherence to the agreement.

Although Iraq also has three major ethnic groups roughly concentrated in three regions the similarities appear to stop there. Only the Kurds seek to control specific territory (essentially what they have controlled since 1991) while disparate Sunni and Shia forces are fighting not so much each other (yet) as Coalition forces and the interim Iraqi government. None expect to conquer the country or tear bits off. Apart from the global jihadists like Abu Musab al-Zarqawi and criminal gangs (responsible for most of the attacks on soft targets, including civilian contractors and aid workers), the perpetrators of violence against the interim regime and international presence are jockeying to influence the structure and functioning of the new Iraqi government.

In short, the “peace” that the *Dayton Accords* represents was imposed by a unified effort from the international community. Now that the US has handed over sovereignty to an interim Iraqi government, there is no easy way to impose a *Dayton-like* regime in Iraq (and there likely never was since it would have required at a minimum a much larger occupying force and international participation that was never in the offing). Thus, Coalition forces in Iraq have no peace to keep and no agreement to implement.

**Implications for Current Operations.** The stark truth is that the US has limited abilities to influence the future of the Iraqi state in the way that the international community brokered the Dayton Accords into a foundation for peace in Bosnia. To impose a solution would require much greater force levels and international participation, neither of which is likely no matter who occupies the White House. And now that sovereignty has been returned to the Iraqis, only years of state failure or civil war would likely convince the American people and the international community of the need to suspend it again. The US can: (1) help provide security for the fledgling regime, (2) help fund and lead reconstruction, (3) advise the interim government on a permanent constitution and governing structures. On this latter point *Dayton* has some relevance.

There is clear preference among Westerners for integrative forms of democracy in which society accepts cultural, ethnic, and religious pluralism and people's primary identity is national, not ethnic, religious, or cultural. This form of democracy is seen as “deeper,” more stable than consociational forms, which tend to perpetuate ethnic identities. But Bosnia suggests that even with overwhelming military might, near dictatorial administrative powers, and fairly acquiescent parties, developing an integrative democracy in an ethnically divided post-conflict society may be beyond our abilities. It may well be that the best way to pursue democracy in a country racked by severe ethnic divisions is to create consociational governing structures guaranteeing ethnic parity in all major national governing institutions, parliamentary rules and constitutional laws protecting minority rights and interests, and a healthy dose of regional/ethnic autonomy. The minority protections consociationalism offers will likely be more attractive to Kurd and Sunni minorities than to the Shia majority; therefore getting Shia leaders such as Grand Ayatollah Ali al-Sistani to sign on will be difficult but essential. The key is to get leaders on all sides to buy into consociationalism as the only way to avoid years of civil war and insurgencies.

One obvious sticking point will be control of oil revenues. Some formula will have to be found to distribute oil revenues fairly among the various constituents—thus minimizing the importance of any group physically controlling oil fields. Overseeing the oil industry, along with border security, could become the new central government's primary mission in life while devolving most other governing functions to autonomous regions.